

United States Court of Appeals for the Second Circuit
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

DEBRA ANN LIVINGSTON
CHIEF JUDGE

CATHERINE O'HAGAN WOLFE
CLERK OF COURT

Date: May 21, 2025

Docket #: 25-632

Short Title: Commodity Futures Trading Commission v.
Alexandre

DC Docket #: 1:22-cv-3822

DC Court: SDNY (NEW YORK
CITY)

DC Judge: Trial Judge - Valerie E.
Caproni

NOTICE OF DEFECTIVE FILING

On March 31, 2025 the Brief and Appendix, on behalf of the Appellant Pierre Acluche, was submitted in the above referenced case. The document does not comply with the FRAP or the Court's Local Rules for the following reason(s):

- ☐ Failure to submit acknowledgment and notice of appearance (*Local Rule 12.3*)
- ☐ Failure to file the Record on Appeal (*FRAP 10, FRAP 11*)
- ☐ Missing motion information statement (*T-1080 - Local Rule 27.1*)
- ☐ Missing supporting papers for motion (e.g, affidavit/affirmation/declaration) (*FRAP 27*)
- ☒ **Insufficient number of copies (*Local Rules: 21.1, 27.1, 30.1, 31.1*) NOTE: Please serve to the Court 6 paper copies of the Brief and 6 paper copies of the Appendix.**
- ☐ Improper proof of service (*FRAP 25*)
 - ☐ Missing proof of service
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- ☐ Failure to file appendix on CD-ROM (*Local Rule 25.1, Local Rules 25.2*)
- ☒ **Failure to file special appendix (*Local Rule 32.1*)**
- ☒ **Defective cover (*FRAP 32*)**
 - ☒ **Incorrect caption (*FRAP 32*)NOTE: the caption must be identical to the one in the Court of Appeals docket.**
 - ☐ Wrong color cover (*FRAP 32*)
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 - ☐ Incorrect pagination, click [here](#) for instructions on how to paginate PDFs (*Local Rule 32.1*)
 - ☐ Incorrect font (*FRAP 32*)
 - ☐ Oversized filing (*FRAP 27 (motion), FRAP 32 (brief)*)
 - ☐ Missing Amicus Curiae filing or motion (*Local Rule 29.1*)

☐ Untimely filing

☐ Incorrect Filing Event

☒ **Other: Due to the Appendix having 423 pages, a Special Appendix must also be submitted.**

Please cure the defect(s) and resubmit the document, with the required copies if necessary, no later than June 11, 2025. The resubmitted documents, if compliant with FRAP and the Local Rules, will be deemed timely filed.

Failure to cure the defect(s) by the date set forth above will result in the document being stricken. An appellant's failure to cure a defective filing may result in the dismissal of the appeal.

Inquiries regarding this case may be directed to 212-857-8525.